IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 14706 of 2005

Between:

1 Mullapudi Rama Rao, S/o. Subbanna,
Surapuvarigudem, Buttaigudem,
West Godavari Dist.
2 Gudapati Haimavathi, W/o. Satyanarayana,
Surapuvarigudem, Buttaigudem,
West Godavari Dist.

..... PETITIONER(S)

AND

The Mandal Revenue Officer, Buttaigudem, West Godavari Dist.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of certiorari calling for the recordings relating to and in connection with the impugned panchanama dated 1.7.2005 of respondent as illeal, arbitrary unconstitutional and in violation of Articles 14,21 & 300 (A) of the constitution of India and consequetly quash the same, and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.P.JAGADISH CHANDRA PRASAD

Counsel for the Respondent No.: GP FOR REVENUE

The Court made the following :

ORDER:

The petitioners filed this writ petition seeking to question the impugned Panchanama, dated 08-02-2005, certified copy of which is dated 01-7-2005, conducted by the respondent-Mandal Revenue Officer delivering an extent of Ac.3-24 cents of land in survey No.263/2 belonging to the 1st petitioner and an extent of Ac.4-07 cents in survey No.263/1 belonging to the 2nd petitioner, both situated in Surapuvaregudem village, Buttayigudem Mandal of West Godavari District, to one Dadi Venkateswara Rao, son of Govindu of Surapuvaregudem, as illegal and arbitrary and consequently to quash the same.

The petitioners claim to be in possession and enjoyment of the lands in question by virtue of the pattas granted in their favour by the Director of Settlements, Hyderabad. It is stated that they filed a writ petition in W.P. No.2144 of 2005 with respect to the title of the lands in question and during pendency of the same, the respondent conducted the impugned panchanama delivering the lands in question to one Dadi Venkateswara Rao, son of Dadi Govindu, which is illegal and arbitrary. Questioning the impugned panchanama, the petitioners filed the present writ petition.

Heard the learned counsel for the petitioners and the leaned Government Pleader for Revenue appearing on behalf of the respondents.

A perusal of the impugned panchanama shows that possession of the lands in question was delivered to one Dadi Venkateswararao by virtue of the ejectment order issued by the Special Deputy Collector (Tribal Welfare), Kota Ramachandrapuram in S.R. No.72/77, dated
30-12-1977. Admittedly, the said ejectment order has not been challenged. Inasmuch as the impugned panchanama is conducted in pursuance of the unchallenged orders of the competent authority, dated 30-12-1977, I see no reason to interfere with the impugned panchanama.

Accordingly, the writ petition is dismissed at the stage of admission. No order as to costs.

E.DHARMA RAO, J

Date:08.07.2005

MRKR

To

1. The Mandal Revenue Officer, Buttaigudem, West Godavari Dist.

2. Two C.Cs to the Government Pleader for Revenue, High Court Buildings, Hyderabad.

3. Two C.D.copies.